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Address to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney's Docket No. ASH-1900

First Named Inventor WILLIAM M. RIESENBERG

UTILITY PATENT APPLICATION TRANSMITTAL
(under 37 CFR 1.53(b))

SIR:

Transmitted herewith for filing is the patent application entitled:

**METHOD AND APPARATUS FOR PITTING AND SLICING OLIVES WITH SPRING-
LOADED, ADJUSTABLE SLICING KNIFE ASSEMBLY**

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, February 25, 2004, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EV 322535371 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marsha A. Townsend

(Name of person mailing paper)



(Signature)

Enclosed are:

1. ☒ Transmittal Form (two copies required)
2. The papers required for filing date under CFR § 1.53(b):
 - a. 25 Pages of specification (including claims and abstract);
 - b. 8 Sheets of drawings.
☒ formal ☐ informal
3. Declaration or oath
 - a. ☒ New original - [Executed]
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Item 12 completed)
 - ☐ Incorporation By Reference (to be used if Item 3b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
4. ☐ Microfiche Computer Program (Appendix, see 37 CFR 1.96)
5. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

ACCOMPANYING APPLICATION PARTS

6. ☒ An assignment of the invention to ASHLOCK COMPANY, a Division of Vistan Corporation is attached (including Form PTO-1595).
- The prior application is assigned of record to ;
Assignment recorded in PTO on __, Reel __, Frame(s) __.
- The prior application is assigned, and the assignment (copy attached) was submitted to PTO for recording on __.
- i. — 37 CFR 3.73(b) Statement (when there is an assignee)
7. — Power of Attorney
8. ☒ An Information Disclosure Statement (IDS) is enclosed, including a PTO-1449 and 3 references.
9. — Preliminary Amendment.
10. ☒ Return Receipt Postcard (MPEP 503 -- should be specifically itemized)
11. ☒ Other - Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i).
- 12.. FOREIGN PRIORITY
- ☐ Priority of application no. __ filed on __ in __ is claimed under 35 USC 119.

13. FEE CALCULATION

- a. — Amendment changing number of claims or deleting multiple dependencies is enclosed.

CLAIMS AS FILED

	Number Filed	Number Extra	Rate	Basic Fee (\$770)
Total Claims	21 – 20	*1	x \$18.00	18.00
Independent Claims	3 – 3	*0	x \$86.00	0
— Multiple dependent claim(s), if any			\$290.00	0

*If less than zero, enter "0".

Filing Fee Calculation \$788.00

50% Filing Fee Reduction (if applicable) \$394.00

14. Small Entity Status

- a. ☒ Small entity status is claimed.
- b. — A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. — is no longer claimed.

15. Other Fees

- ☒ Recording Assignment [\$40.00]\$40.00
- Other fees
- Specify _____ \$

Total Fees Enclosed\$434.00

16. Payment of Fees

☒ Checks in the amount of \$394.00 (for filing fee) and \$40.00 (for recordation of assignment) are enclosed.

☐ Charge Account No. 50-1697 in the amount of \$.

A duplicate of this transmittal is attached.

17. All correspondence regarding this application should be forwarded to the undersigned attorney:

Alfred A. Equitz
GIRARD & EQUITZ LLP
400 Montgomery Street, Suite 1110
San Francisco, CA 94104
Telephone: 415/433-2250
Facsimile: 415/433-2255

18. Authorization to Charge Additional Fees

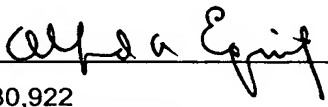
☒ The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 50-1697. **A duplicate of this transmittal is attached.**

GIRARD & EQUITZ LLP

February 25, 2004
(Date)

Attorney Docket No. ASH-1900

By: _____


Alfred A. Equitz
Registration No. 30,922
Attorney(s) or Agent(s) of Record

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor **WILLIAM M. RIESENBERG**

Title **Method and Apparatus for Pitting
and Slicing Olives with...**

Attorney Docket Number **ASH-1900**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 25, 2004

Date

Alfred A. Equitz
Signature

(415) 433-2250

Telephone number

ALFRED A. EQUITZ, Reg. No. 30,922

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.